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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
09/821,668	03/29/2001	Michael Dennis Ladwig	LIT-104/PRC-145	6164

32205 7590 09/22/2004

PATTI & BRILL
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CHICAGO, IL 60602

EXAMINER

JUNG, DAVID YIUK

ART UNIT	PAPER NUMBER
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2134

DATE MAILED: 09/22/2004

Please find below and/or attached an Office communication concerning this application or proceeding.

Office Action Summary

Application No.

09/821,668

Applicant(s)

LADWIG, MICHAEL DENNIS

Examiner

David Y Jung

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-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If the period for reply specified above is less than thirty (30) days, a reply within the statutory minimum of thirty (30) days will be considered timely.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

Status

- 1) ☒ Responsive to communication(s) filed on 20 February 2003.
- 2a) ☐ This action is **FINAL**. 2b) ☒ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims

- 4) ☒ Claim(s) 1-41 is/are pending in the application.
- 4a) Of the above claim(s) _____ is/are withdrawn from consideration.
- 5) ☐ Claim(s) _____ is/are allowed.
- 6) ☒ Claim(s) 1-41 is/are rejected.
- 7) ☐ Claim(s) _____ is/are objected to.
- 8) ☐ Claim(s) _____ are subject to restriction and/or election requirement.

Application Papers

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☒ The drawing(s) filed on 3/29/2001 is/are: a) ☒ accepted or b) ☐ objected to by the Examiner.
Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).
Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

Priority under 35 U.S.C. § 119

- 12) ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☐ All b) ☐ Some * c) ☐ None of:
- ☐ Certified copies of the priority documents have been received.
 - ☐ Certified copies of the priority documents have been received in Application No. _____.
 - ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).
- * See the attached detailed Office action for a list of the certified copies not received.

Attachment(s)

- ☒ Notice of References Cited (PTO-892)
- ☐ Notice of Draftsperson's Patent Drawing Review (PTO-948)
- ☐ Information Disclosure Statement(s) (PTO-1449 or PTO/SB/08)
Paper No(s)/Mail Date _____
- ☐ Interview Summary (PTO-413)
Paper No(s)/Mail Date. _____
- ☐ Notice of Informal Patent Application (PTO-152)
- ☐ Other: _____

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DETAILED ACTION

CLAIMS PRESENTED

Claims 1-41 are presented.

CLAIM REJECTIONS

The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:

(a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negated by the manner in which the invention was made.

Claims 1-41 are rejected under 35 U.S.C. 103(a) as being unpatentable over Jaworski (Java 1.1 Developer's Guide Second Edition, 1997) Venners (http://www.javaworld.com/javaworld/jw-05-1997/jw-05-hood_p.html , written by Venners).

Regarding claim 1, Venners teaches "A method comprising the steps of: generating a software agent (especially the section Concluding thoughts: Object-orientation and mobile agents, i.e., mobile agents ... aglets are Java objects)."

These passages of Venners do not teach "splitting ... code unit and a data unit ..." in the sense of the claim.

Jaworski teaches "splitting the software agent into a code unit and a data unit; forwarding the data unit to the destination host (pages 90-95, 124-126, 139-140,

especially page 125 "Interfaces ... allow various subsets of the features supported by different classes to be shared without mandating ... all features" – thereby permitting split of features such as code and data that are sometimes in a single object; compare, page 95 "encapsulation is the combining of data and the code")" for the motivation of being effective in "developing software (page 90)."

Hence, it would have been obvious to those of ordinary skill in the art at the time of the claimed invention to combine Venners and Jaworski for the motivation noted in the previous paragraphs so as to teach the claimed invention.

Regarding claim 2 (authentication, etc.), such features are well known in the art for the motivation of security. Regarding claim 3 (non-executable data, etc.), this is discussed in Jaworski (especially at page 95, on encapsulation). Regarding claims 4-6 (various identification and encryption features), such features are well known in the art for the motivation of security.

Regarding claim 7, Venners teaches "A method comprising the steps of ... forming a software agent; executing the software agent. (especially the section Concluding thoughts: Object-orientation and mobile agents, i.e., mobile agents ... aglets are Java objects)."

These passages of Venners do not teach "receiving ... combining ... code unit and a data unit ..." in the sense of the claim.

Jaworski teaches "receiving a data unit from an originating host; verifying the data unit; combining the data unit with a code unit (pages 90-95, 124-126, 139-140, especially page 125 "Interfaces ... allow various subsets of the features supported by

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different classes to be shared without mandating ... all features" – thereby permitting split of features such as code and data that are sometimes in a single object; compare, page 95 "encapsulation is the combining of data and the code")" for the motivation of being effective in "developing software (page 90)."

Hence, it would have been obvious to those of ordinary skill in the art at the time of the claimed invention to combine Venners and Jaworski for the motivation noted in the previous paragraphs so as to teach the claimed invention.

Regarding claims 8-32 (various data handlings, especially in encryption and identification) such features are well known in the art for the motivation of security.

Regarding claim 33, Venners teaches "A system comprising : a software agent. (especially the section Concluding thoughts: Object-orientation and mobile agents, i.e., mobile agents ... aglets are Java objects)."

These passages of Venners do not teach "... split...code unit and a data unit ..." in the sense of the claim.

Jaworski teaches "an originating host, arranged and constructed to split a ... into a code unit and a data unit and forward the data unit to a destination host; a destination host, arranged and constructed to receive the data unit, to combine the data unit with a code unit associated with the data unit, thereby forming a destination agent, wherein the code unit is not sourced by the originating host (pages 90-95, 124-126, 139-140, especially page 125 "Interfaces ... allow various subsets of the features supported by different classes to be shared without mandating ... all features" – thereby permitting split of features such as code and data that are sometimes in a single object; compare,

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page 95 "encapsulation is the combining of data and the code")" for the motivation of being effective in "developing software (page 90)."

Hence, it would have been obvious to those of ordinary skill in the art at the time of the claimed invention to combine Venners and Jaworski for the motivation noted in the previous paragraphs so as to teach the claimed invention.

Regarding claim 34, 35 (authentication, etc.), such features are well known in the art for the motivation of security. Regarding claim 36 (non-executable data, etc.), this is discussed in Jawarski (especially at page 95, on encapsulation). Regarding claims 37-41 (various identification and encryption features), such features are well known in the art for the motivation of security.

Conclusion

The art made of record and not relied upon is considered pertinent to applicant's disclosure. The art disclosed general background.

Points of Contact

Any response to this action should be mailed to:

Commissioner of Patents and Trademarks

Washington, D.C. 20231

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or faxed to:

(703) 746-7239, (for formal communications intended for entry)

Or:

(703) 746-5606 (for informal or draft communications, please label "PROPOSED" or "DRAFT")

Hand-delivered responses should be brought to Crystal Park II, 2121 Crystal Drive,
Arlington, VA., Sixth Floor (Receptionist).

Any inquiry concerning this communication or earlier communications from the
examiner should be directed to David Jung whose telephone number is (703) 308-5262
or Greg Morse whose telephone number is (703) 308-4789.

David Jung

A handwritten signature in black ink, consisting of a large, stylized 'D' followed by a series of loops and a long horizontal stroke extending to the right.

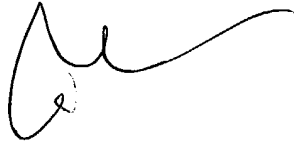
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Patent Examiner

2004-09-19

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